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## Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control numb TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING Docket Number (Optional) REJECTION OVER A PENDING SECOND APPLICATION J6837(C) In re Application of: Chan et al. Application No.: 10/613,864 Filed: July 3, 2003 For: HAIR DYEING METHOD INCLUDING AN ALIGNING STEP The owner\*, <u>Unilever Home & Personal Care, Division of Conopco, Inc.</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/963,332, filed on October 12, 2004; 10/791,391, filed on March 2, 2004, and 10/613,792 filed on July 3, 2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for an during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. The undersigned is an attorney or agent of record. 03/07/2006 SHASEEN1 00000034 121155 Michael P. Aronson 130.00 DA Typed or printed name Terminal disclaimer fee under 37 CFR 1.20(d) is included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. \*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

J6837(C) 03-R108-EDG/R

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**CERTIFICATE OF MAILING** 

Vereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

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Reg. No. 50,372 Agent for Applicant(s)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.:

000201

Att'y Docket No.: J6837(C)

J6837(C) Chan et al.

Applicant: Serial No.:

10/613,864

Filed:

July 3, 2003

For:

HAIR DYEING METHOD INCLUDING AN ALIGNING STEP

Group

1751

Examiner:

Eisa B. Elhilo

Englewood Cliffs, New Jersey 07632

March 2, 2006

## LETTER WITH TERMINAL DISCLAIMER

Assistant Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

As per telephone conversation with the Examiner on February 28, 2006 indicating allowable subject matter, applicants are attaching hereto a Terminal Disclaimer disclaiming that portion of any patent granted for the above-identified application extending beyond the expiration date of Serial No. 10/963,332; 10/791,391 and 10/613,792.

Please charge Deposit Account No. 12-1155 in the amount of \$130.00 to cover the cost of the Terminal Disclaimer. Any deficiency or overpayment should be charged or credited to this deposit account. This request is being submitted in triplicate.

Respectfully submitted,

Michael P. Aronson

Registration No. 50,372

Agent for Applicant(s)

MPA/dca (201) 894-2412